

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 6084 of 2018
WITH
B.A. No.5504 of 2018

1. Gwala Singh Bankira
2. Juriya Deogam @ Chiriya Deogam ... **Petitioner** [in BA 6084 of 2018]

Sukra Tirkey ... **Petitioner** [in BA 5504 of 2018]

-versus-

The State of Jharkhand ... **Opposite Party** [in both cases]

CORAM : HON'BLE MR. JUSTICE ANANDA SEN

For the Petitioners : Mr. Anjani Kumar, Advocate
Mr. Gautam Kumar, Advocate

For the State : Mr. Deepak Kumar, A.P.P.
Mr. Sanjay Kumar Srivastava, A.P.P.

6/ 30.11.2018 Heard learned counsel for the parties.

Petitioner is an accused for allegedly committing the offence punishable under Sections 395 of the Indian Penal Code, in connection with Chaibasa (Muffasil) Police Station Case No.129 of 2017 corresponding to G.R. No.599 of 2017, pending in the Court of learned Additional Chief Judicial Magistrate, Chaibasa.

Learned counsel for the petitioners submit that the petitioners were not named in the FIR. Chargesheet has already been submitted and petitioners were not put on Test Identification Parade. Money which has been recovered being a common article belongs to the petitioners and cannot be related with the crime.

Learned A.P.P. appearing for the State opposes the prayer for bail of the petitioners and submits that on the basis of confessional statement, money was recovered.

After hearing the parties, I find that this is a case of bank dacoity wherein six unknown persons entered the bank with arms and weapons and robbed cash amounting to more than Rs.3,50,000/-. Informant, who happens to be the Bank Manager clearly stated that he can identify the accused persons.

Since the trial is yet to begin and informant is yet to be examined in this case, I am not inclined to grant bail to the petitioners. Accordingly, prayer for bail of the petitioners, namely, Gwala Singh Bankira, Juriya Deogam @ Chiriya Deogam (petitioners in B.A. No.6084 of

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2018) and Sukra Tirkey (petitioner in B.A. No.5504 of 2018) in connection with Chaibasa Muffasil Police Station Case No.129 of 2017 corresponding to G.R. No.599 of 2017, pending in the Court of learned Additional Chief Judicial Magistrate, Chaibasa is hereby rejected.

Petitioners, if so advised, are given liberty to renew their prayer for bail after examination of the informant during trial.

This application stands dismissed.

(Ananda Sen, J.)